

## Message Text

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22

ORIGIN OES-06

INFO OCT-01 AF-08 EUR-12 IO-13 ISO-00 EPA-04 HEW-06 SIG-02

FEA-01 AID-05 CEQ-01 CIAE-00 ERDA-07 COME-00 DODE-00

EB-07 INR-07 L-03 NSF-02 NSC-05 NSAE-00 PM-04 USIA-15

SS-15 SP-02 INT-05 NAS-01 /132 R

DRAFTED BY OES/ENP/EN:PGLASOE:EF  
APPROVED BY OES/ENP/EN:HSPIELMAN  
EUR/RPE:JPOLANSKY (SUBS)  
EPA/A-106:DSTROTHER  
FDA:BHOFFMAN  
EUR/NE:RWOODS (SUBS)

----- 096868

R 262223Z OCT 76  
FM SECSTATE WASHDC  
TO AMEMBASSY STOCKHOLM  
INFO ALL OECD CAPITALS  
USMISSION NATO  
AMEMBASSY MOSCOW  
AMEMBASSY NAIROBI  
USMISSION GENEVA

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E.O. 11652: NA

TAGS: SENV, OECD, UR, KE, SZ, US

SUBJECT: SPRAY CAN PROPELLANTS: CHLOROFLUOROMETHANES

REF: (A) STOCKHOLM 5808 (NOTAL),(B) STATE 240059

1. ON OCTOBER 15, THE U.S. FOOD AND DRUG ADMINISTRATION  
(FDA) ANNOUNCED THAT IT PLANS TO PHASE OUT THE USE OF  
FLUOROCARBONS AS PROPELLANTS IN AEROSOL SPRAYS "FOR NON-  
ESSENTIAL USES" IN FOODS, DRUGS, AND COSMETICS. PENDING  
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SUCH A PHASE-OUT, IT PLANS TO SEEKS A WARNING LABEL ON

SUCH "NON-ESSENTIAL" SPRAY CANS CONTAINING FLUOROCARBONS. NOTICES CONCERNING BOTH PLANS WILL BE PUBLISHED IN THE FEDERAL REGISTER IN THE COMING WEEKS. (NOTE: FDA HAS REGULATORY JURISDICTION OVER APPROXIMATELY 80 PERCENT OF THE FLUOROCARBONS USED IN AEROSOL PRODUCTS.)

2. FOR STOCKHOLM: PRECEDING IS PRESUMABLY THE ANNOUNCEMENT TO WHICH SWEDISH NEWSPAPERS MADE REFERENCE; THERE WAS NO SIMILAR ANNOUNCEMENT BY ANY "AMERICAN MEDICAL BOARD" OF WHICH WE ARE AWARE.

3. RELEASE IN SEPTEMBER OF NATIONAL ACADEMY OF SCIENCES (NAS) REPORTS ON FLUROCARBONS AND THE OZONE LAYER BROUGHT ABOUT RENEWED, INTENSE U.S. PUBLIC ATTENTION TO THE ISSUE. EVEN AT THE TIME OF THE NAS RELEASE, THERE WERE CALLS FOR INITIATION OF IMMEDIATE REGULATORY ACTION AGAINST FLUOROCARBONS, ALTHOUGH THERE WAS DISAGREEMENT AMONG SCIENTISTS AND POLICY MAKERS CONCERNING HOW URGENT THE NEED FOR SUCH ACTION WAS. (SEE STATE 240059 AND STATE 229503 FOR RECENT BACKGROUND.) IN THE INTERVENING WEEKS, HOWEVER, A CONSENSUS SEEMS TO HAVE DEVELOPED AMONG THE REGULATORY AGENCIES THAT THE TIME IS RIPE TO INITIATE THE REGULATORY PROCESS AGAINST AT LEAST THE NON-ESSENTIAL AEROSOL USES OF FLUOROCARBONS.

4. THE ADMINISTRATOR OF THE EPA ANNOUNCED AT THE OCTOBER 12 PLENARY OF NATO'S CCMS THAT THE U.S. WAS "INITIATING ITS REGULATORY PROCESSES TO PHASE OUT NON-ESSENTIAL USES OF FLUROCARBONS 11 AND 12." (SEE U.S. MISSION NATO 5500 FOR MR. TRAIN'S FULL STATEMENT.) AS NOTED, SHORTLY THEREAFTER, FDA COMMISSIONER SCHMIDT MADE PUBLIC HIS AGENCY'S SPECIFIC INTENTIONS. ON OCTOBER 19 EPA ADDED THAT IT WAS UNDERTAKING ACTION AGAINST THE USE OF FLUOROCARBONS IN PESTICIDE SPRAYS, AND IN FACT IT IS INITIATING THE REGULATORY PROCESS AGAINST ALL REMAINING NON-ESSENTIAL AEROSOL USES.

5. TO WHAT EXTENT AND WHETHER ACTION MAY BE TAKEN AGAINST ANY NON-AEROSOL USES OF FLUROCARBONS IS NOT CLEAR. THERE ARE COMPLEX ECONOMIC, SAFETY, AND OTHER CONSIDERATIONS.

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TIONS WHICH COMPLICATE ANY POSSIBLE REGULATION OF MANY OF THE NON-SPRAY CAN USES OF FLUOROCARBONS. (FYI: THERE ARE ALSO STILL UNCERTAINTIES CONCERNING THE DIVISION OF LABOR AMONG THE U.S. REGULATORY AGENCIES--UNCERTAINTIES WHICH SHOULD BE RESOLVED IN THE NEAR FUTURE. END FYI.)

6. IN SUM, AT THIS TIME NO U.S. REGULATORY AGENCY IS CALLING FOR AN IMMEDIATE BAN ON ANY FLUOROCARBON USES.

THE TIME-CONSUMING REGULATORY PROCESSES IN RELATION TO  
NON-ESSENTIAL SPRAY CAN USES HAVE, HOWEVER, BEEN SET IN  
MOTION BY TWO OF THE KEY AGENCIES. WE WILL KEEP POSTS  
INFORMED OF FUTURE DEVELOPMENTS. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** POLLUTION CONTROL, FOOD & DRUG REGULATIONS, CHEMICALS, ALLEGATIONS, CONTAINERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 OCT 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Disposition History:** n/a  
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**Drafter:** PGLASOE:EF  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ORIGIN OES  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STOCKHOLM 5808, 76 STATE 240059  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** buchant0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 17 AUG 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <17 AUG 2004 by cookms>; APPROVED <27 DEC 2004 by buchant0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SPRAY CAN PROPELLANTS: CHLOROFLUOROMETHANES  
**TAGS:** SENV, UR, KE, SZ, US, OECD  
**To:** STOCKHOLM  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006